

AMENDED IN ASSEMBLY APRIL 9, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1248**

**Introduced by Assembly Member Aghazarian**

February 21, 2003

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An act to add Section 13167.5 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1248, as amended, Aghazarian. Waste discharge requirements: public notice and comments.

Existing law, the Porter-Cologne Water Quality Control Act, requires the State Water Resources Control Board and the California regional water quality control boards to carry out various duties relating to water quality, including the issuance of waste discharge requirements ~~and dredged or fill material permits~~, and actions to enforce those requirements, including the issuance of time schedule orders ~~and cleanup or abatement~~, *cease and desist orders, and water reclamation requirements*.

This bill would require the state board or the regional board, as appropriate, to provide ~~public notice and an opportunity to comment prior to taking these described actions, and related other actions, to carry out the act~~ *a period of at least 30 days for public comment prior to adopting waste discharge requirements, water reclamation requirements, or those described orders*.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1.   Section 13167.5 is added to the Water Code, to  
2 read:  
3     ~~13167.5. Prior to the adoption of any order pursuant to~~  
4     13167.5.   *Notwithstanding any other provision of law, the state*  
5     *board or the regional board, as applicable, shall provide a period*  
6     *of at least 30 days for public comment prior to the adoption of any*  
7     *of the following:*  
8     (a) *Waste discharge requirements prescribed pursuant to*  
9     *Sections 13263 or 13377.*  
10    (b) *Water reclamation requirements prescribed pursuant to*  
11    *Section 13523.*  
12    (c) *An order issued pursuant to Section 13320.*  
13    (d) *A cease and desist order adopted pursuant to Section 13301*  
14    *relating to waste discharge requirements prescribed pursuant to*  
15    *Sections 13263 and 13377.*  
16    (e) *A time schedule order adopted pursuant to Section 13300*  
17    *relating to waste discharge requirements prescribed pursuant to*  
18    *Sections 13263 and 13377.*  
19    ~~Section 13263, 13300, 13301, 13304, 13308, 13320, 13377, or~~  
20    ~~13523, the state board, or the regional board, as appropriate, shall~~  
21    ~~provide public notice and an opportunity to comment.~~